

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In The Matter Of:	)	
	)	Case No. 10-54041-659
Matthew J. Miller,	)	
	)	
Debtor.	)	Chapter 13
	)	
Wells Fargo Auto Finance, Inc.	)	
	)	
Movant.	)	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

COMES NOW, Movant Wells Fargo Auto Finance, Inc. (hereinafter "Movant") and for its Objection to the Confirmation of Debtor's Chapter 13 Plan states as follows:

1. Movant is the holder of a Promissory Note and Security Agreement dated March 22, 2006 which is secured by the Debtor's motor vehicle described as a 2006 Chevrolet Cobalt, VIN #1G1AL15F667649678.

2. Debtor's Plan lists the fair market value of the 2006 Chevrolet Cobalt at \$6,150.00.

3. The N.A.D.A. book for Central States lists the retail value of the Debtors' 2006 Chevrolet Cobalt at \$8,450.00, a copy of which is attached hereto and incorporated herein as if more fully set forth, and marked as Exhibit 1.

4. Under Debtor's proposed Plan Wells Fargo lacks adequate protection as Movant's claim on the 2006 Chevrolet Cobalt should be listed at \$8,450.00.

5. Under Debtor's proposed Plan Movant lacks adequate protection as Debtor's Plan payments are insufficient to pay Movant at least 1.5% of its claim per month.

WHEREFORE, Wells Fargo prays for an Order of this Court denying the Confirmation of Debtor's Chapter 13 Plan or, in the alternative, an Order requiring the Debtor to amend his plan

to increase the monthly payments to adequately protect Movant; and to reflect the value of  
Movant's secured claim on the 2006 Chevrolet Cobalt to be \$8,450.00.

DUNN & MILLER, P.C.

By: /S/ John P. Miller  
John P. Miller #38233MO  
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**CERTIFICATE OF SERVICE**

A copy of the foregoing Objection to Debtor's Chapter 13 Plan was served via U.S. mail  
this 22nd day of February, 2011 by first-class mail, postage prepaid to the following parties not  
served electronically:

Matthew J. Miller  
411 Evergreen  
St. Charles, MO 63301  
DEBTOR

The following parties will be served electronically:

Douglas M. Heagler  
6302 N. Rosebury, Ste. 1W  
Clayton, MO 63015  
DEBTOR'S ATTORNEY

John V. LaBarge, Jr.  
P.O. 430908  
St. Louis, MO 63143  
CHAPTER 13 TRUSTEE

Office of U.S. Trustee  
111 South Tenth St., Ste. 6353  
St. Louis, MO 63102

/S/ John P. Miller  
John P. Miller

Period: 2010 December

Region: Central

VIN: 1G1AL15F667649678

Reference #:

Year: 2006

Make: CHEVROLET

Series: Cobalt-L4

Body: Coupe 2D LT

Mileage: 67,500 Adjustment: \$0

MSRP: \$16,200 Weight: 2,742

- ☒ Aluminum/Alloy Wheels
- ☒ Cruise Control
- ☐ Leather Seats
- ☐ Pioneer Stereo
- ☒ Power Door Locks
- ☐ Power Sunroof
- ☐ W/out Auto. Trans.

**Value**

**Trade-In**

**Loan**

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Loan	Clean Retail
Base:	\$4,575	\$5,475	\$6,200	\$5,600	\$8,450
Mileage Adjustment:	\$0	\$0	\$0	\$0	\$0
Options Adjustment:	\$0	\$0	\$0	\$0	\$0
Adjusted Value:	\$4,575	\$5,475	\$6,200	\$5,600	\$8,450

#### Auction Values

Date Range:

	Low Auction	Average Auction	High Auction
Adjusted Value*:	\$0.00	\$0.00	\$0.00

\* NADA Auction Values are only available for the most current data period: (February 2011)

NADA Auction Values are weekly wholesale valuations that directly represent current auction market transactions through auction data analysis. For more detailed information click here.